



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

7/019/044
S/019/044

September 11, 1998

William Stringer
BLM Moab Office
82 East Dogwood Avenue
Moab, Utah 84532

Re: Deficient Notice of Intention to Commence Small Mining Activities, Black Jack #1-2 Project, S/019/044 (UTU-76412), Grand County, Utah

Dear Mr. Stringer:

Thank you for forwarding the mining notice for Jack Day's Black Jack #1-2 Project, received by the Division on August 6, 1998. The Black Jack #1-2 Project is located in SW 1/4 SW 1/4 Section 31, T22S, R22E, and NW 1/4 NW 1/4 Section 6, T23S, R22E, SLBM, Grand County, Utah. Your agency's designated number for this project is UTU-76412.

The proposed project involves the re-opening of an existing underground mine portal. The Division has reviewed this project as a small mining operation notice of intention. The notice information does not satisfy the requirements of Section R647-3 of the Utah Mined Land Reclamation Act of 1975, Title 40-8, et seq., Utah Code Annotated.

It is understood that the Division will notify your office of any permitting concerns we may have, and in turn, your office, acting as 'Lead Agency' will notify the operator accordingly. Due to our delay in responding we have sent a copy of this letter to the operator. The following information is still required by the Division:

A map of the existing disturbances in the immediate project area which includes a disturbed area boundary for the proposed operation (the photos are helpful in showing the state of the existing disturbances, but a map is needed).

An estimate of the area (acreage) of new surface disturbance to be created and the area of existing disturbances which will be redisturbed by this project.

A more detailed description of the activities to be performed under this project (in addition to cleaning out the existing adit). (i.e. how will the ore body be delineated - drilling, bulk sampling, etc.)

Black Jack #1-2
S/019/044

Appropriate variance requests for this previously impacted site (i.e. is sufficient topsoil available for salvage, stockpiling and reclamation; can a 70% pre-mining revegetation success standard be met; will the portal be sufficiently backfilled at the end of operations) or confirmation that no variances are requested and the operator will comply fully with the Operating and Reclamation Practices.

Payment of the appropriate permit fee. The operator is required to pay a permit submission fee of \$100 to the Division of Oil, Gas and Mining for a small mine operation or exploration project. Once the notice is considered complete, the permit fee is required in order for the notice to be considered in effect. An annual fee of \$100 will also be required each subsequent year in order for the permit to remain in effect.

Enclosed is a copy of a SMO-NOI Summary of Operation and Reclamation Practices. If the operator cannot comply with these practices, then a variance request must be provided to and formally approved by the Division. This request would include the particular practice which the operator cannot comply with and an explanation describing the reasons why they cannot comply. A variance request is not required for the practices which refer to features which are nonexistent at the project site.

Please provide us with a copy of your correspondence with the operator. In addition, if you receive additional information or amendments for this operation, please provide us with a copy so we can update our files. Please reference our designated file number S/019/044 when forwarding additional information on this project.

Sincerely,



Anthony A. Gallegos
Senior Reclamation Specialist

jb

Enclosure: SMO-NOI Summary

cc: Jack Day, Operator w/enclosure (8530 West Sahara Ave. #160, Las Vegas, Nevada 89117)

Tracking File

Roger L. Bon, UGS

s19-00jd.noi